

**CIVIL DOCKET**  
**UNITED STATES DISTRICT COURT**

BOHANON

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS						
Melvin James Pierce vs United States of America		<b>For plaintiff:</b> Jack B. Sellers Allen B. Mitchell 300 East Lee Sapulpa, Okla. 74066 <i>224-9732</i>						
		<b>For defendant:</b> Nathan G. Graham Robert P. Santee 460 U. S. Courthouse Tulsa, 74103						
STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.		DISB.	
J.S. 5 mailed <i>5-1-71</i>	Clerk		4-9-71	Sellers	15	00		
			4-15-71	C.D. 46			15	00
			3-21-72	Mitchell	5	00		
J.S. 6 mailed <i>3-1-72</i>	Marshal		3-23-72	C.D.No.42			5	00
Basis of Action: Personal injury by carelessness	Docket fee							
	Witness fees							
Action arose at:	Depositions							

DATE	PROCEEDINGS	Date Order or Judgment Noted
4-9-71	Complaint, filed. Summons issued. r	
4-16-71	Summons, returned & filed: Served U.S. Attorney, at Tulsa, Oklahoma personally 4-12-71 and served Atty. Gen., Wash. D. C. by certified mail. (USM \$3.00)g	
6-9-71	Answer, filed. m	
7-6-71	Case set for pre-trial 7-27-71 at 9:30 a.m. (LB-J)m	
7-27-71	Pre-trial hearing held. Advisory jury requested by plaintiff and denied by Court. Parties to exchange documents and reports. Pre-trial order waived and case to be set for non-jury trial sometime in September. ETT - 1½ hours. (LB-J)m	
8-24-71	Case set for non-jury trial 9-9-71 at 1:30 p.m. (LB-J)m	
9-7-71	Plaintiff's Motion for leave to file amendment to complaint with brief in support as a part of the pleading (& amendment to complaint attached), filed. v	
9-9-71	Subpoenae, ret. & filed: served James C. Walker, M.D. at Tulsa, Ok. 9-6-71; unserved as to David Brown, M.D. and Gerald Hahn, M.D. (USM \$11.36)g	
9-9-71	Case called for non-jury trial and hearing on pltf's motion for leave to file amendment to complaint. Parties not present. It is ordered by the Court that pltf's motion is granted and pltf. directed to file amendment to complaint within 10 days. Case passed from non-jury setting. (LB-J)m	
9-9-71	Amendment to complaint, filed. m	
9-20-71	Answer to amendment to complaint, filed. m	
9-20-71	Return of Civil Subpoena. Served Lillian Cooper (formerly Brandenburg) at Prague Hospital, Prague, Oklahoma on 9-7-71 at 10:30 A.M. (Fee \$59.84) Filed. r	
1-4-72	Case set for non-jury trial 1/13/72 at 9:30 a.m. (LB-J) rm	
1-7-72	Return on U.S. Marshals Service, Summons, filed. Served G. Lance Miller, M.D., in Tulsa, Okla., on 1-5-72 with fees of \$2.96. v	
1-13-72	Subpoena, ret. & filed: served A. B. Hutton at Muskogee, Ok. 1-12-71.g	
1-13-72	Subpoena returned and filed. Served Philip Washburn, M. D. at Sapulpa Oklahoma on 1-13-72. ds	
1-13-72	Subpoena returned and filed. Served Darryl Logan, Tulsa, Oklahoma, on 1-13-72. ds	
1-13-72	Subpoenae, ret. & filed: served Mrs. Billie Liber, Claremore, Ok., and Averill Stowell, M.D., Tulsa, 1-12-72. (USM \$11.68)g	
1-13-72	Case tried to the Court. Parties present and represented. Court rules for the defendant. Counsel for deft. to prepare F/F & C/L. Pltf. given 5 days thereafter to file objections. If deft. files said objections, case will be set for further arguments. If not, Court will file F/F & C/L and Judgment. (LB-J)(Bud Bailey-CSR)hm	
1-19-72	Govt's F/F & C/L and Judgment, filed. hm	
1-26-72	Objections of pltf. to F/F & C/L, filed. hm	
2-15-72	Hearing held on pltf's objections to govt's F/F & C/L. Court takes ruling under advisement & will enter an order. (LB-J)hm	
2-22-72	Findings of fact and conclusions of law, filed. (LB-J)hm (copies mailed)	
2-22-72	Judgment, filed and entered, that judgment is entered against pltf. & in favor of deft, each to bear own costs. (LB-J)hm (copies mailed)	
3-21-72	Notice of appeal by plaintiff, filed. cpy to USCA & US Atty. g	
4-18-72	Transcript of proceedings on objections of pltf. to F/F, C/L, on 2-15-72, filed. (Sickles, CSR)g	

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4-20-72	Order extending time to docket appeal to May 15, 1972, filed. (AEB-J)g (cpy to counsel & USCA)	
5-1-72	Transcript of nonjury trial held 1/13/72, filed. (Bud Bailey,C.R.)rm	
5-15-72	Appeal record (3 vols) forwarded to USCA. g	
1-5-73	Mandate & Opinion of USCA affirming judgment of 2-22-72, filed & spread of record. g	
1-8-73	Appeal record (3 vols.) received from USCA. g	
10-23-74	Order of disbursal, filed, directing Clerk to refund \$250.00 cash bond deposited for appeal purposes to pltf.'s counsel. (LB-J)hm (copy mailed Mitchell)	

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